

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**THOMAS GRIFFIN, JR.,**

**Plaintiff,**

**Case No. 2:10-cv-664**

**v.**

**JUDGE GREGORY L. FROST**

**CORRECTIONAL OFFICER KYLE,  
et al.,**

**Magistrate Judge Terence P. Kemp**

**Defendants.**

**ORDER**

On November 2, 2010, the Magistrate Judge issued a Report and Recommendation recommending that plaintiff's motion for a default judgment against defendant Correctional Officer Kyle (#14) be denied. The basis of that recommendation was that this defendant had never properly been served with a complaint and summons. Despite the passage of the time allowed for filing objections to the Report and Recommendation, no objections have been filed. The Report and Recommendation (#19) is therefore **ADOPTED**. Plaintiff's motion for default judgment (#14) is **DENIED**.

**IT IS SO ORDERED.**

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/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE